



CITY OF FORT LAUDERDALE

**MEETING MINUTES
CITY OF FORT LAUDERDALE
NUISANCE ABATEMENT BOARD MINUTES
CITY HALL, CITY COMMISSION CHAMBERS
100 NORTH ANDREWS AVENUE
THURSDAY, APRIL 14, 2022, 7:00 P.M.**

**Cumulative Attendance
1/2022 through 12/2022**

<u>Members</u>	<u>Attendance</u>	<u>Present</u>	<u>Absent</u>
John Forman, Chair	P	2	0
Joel Slotnick, Vice Chair	P	2	0
Glen Lindsay	A	1	1
Robert Phaneuf	P	2	0
Paula Yukna	A	0	2

Staff Present

Detective Paul Maniates, Liaison
Detective Jameson Jones
Joyce Hair, Board Clerk
Carla Blair, Recording Secretary, Prototype, Inc.

Communication to the City Commission

None.

Index

<u>Item No.</u>	<u>Case Number</u>	<u>Respondent</u>	<u>Page</u>
4.	20-09-02	3031 West Commercial Boulevard, Hometown Studio Hotel – Status Hearing	2
5.	21-08-02	2935 North Federal Highway, America's Best – Status Hearing	2
6.	22-04-01	301 SW 2 nd St., DBA #00 Shato – Evidentiary Hearing	3

Purpose: Promote, protect, and improve the health, safety, and welfare of the citizens by imposing administrative fines and other non-criminal penalties in order to provide an equitable, expeditious, effective, and inexpensive method of enforcing ordinances under circumstances when a pending, or repeated violation continues to exist.

1. Call meeting to order; Pledge of Allegiance

The meeting was called to order at 7:00 p.m. and the Pledge of Allegiance was recited.

2. Roll call; witnesses sign log; swearing in

Roll was called and it was noted a quorum was present. Any individuals planning to speak at tonight's meeting were sworn in.

3. Approval of minutes for January 13, 2022

Motion made by Mr. Slotnick, seconded by Mr. Phaneuf, to approve January 13th's minutes. In a voice vote, the **motion** passed unanimously.

Cases

**4. Case Number 20-09-02
3031 West Commercial Boulevard
Hometown Studio Hotel
• Status Hearing**

Detective Jones stated that the property owner was mailed notice of tonight's meeting on April 7, 2022. There have been 43 Police-related activities over the last 90 days, none of which were nuisance-related.

Det. Jones advised that he conducted a property check on April 11, 2022 and noted that the property is compliant with all Police recommendations. Tonight will be the last hearing for this property, as the Board's jurisdiction ends on April 15, 2022.

Motion made by Vice Chair Slotnick, seconded by Mr. Phaneuf, to end jurisdiction. In a roll call vote, the **motion** passed unanimously (3-0).

**5. Case Number 21-08-02
2935 North Federal Highway
America's Best
• Status Hearing**

Det. Jones stated that the property owner was mailed notice of tonight's meeting on April 7, 2022. There have been 58 Police-related incidents over the past 90 days, of which one was nuisance-related.

The nuisance-related incident occurred on February 21, 2022, in which an individual called the Police because hotel management had removed him from the property. It was

determined that a warrant existed for the individual's arrest and he was taken into custody. Officers discovered drugs and drug paraphernalia on the individual's person.

Det. Jones advised that the property passed its last Police inspection on April 11, 2022. The property is in compliance at this time. He recommended a status hearing in May 2022.

Chair Forman requested additional information on the nature of the 58 Police-related calls. Det. Jones replied that reports were taken for only eight of these calls, which he reviewed to determine if there was a nuisance relationship.

6. Case Number 22-04-01

301 SW 2nd Street

DBA #00 Shato

- **Evidentiary Hearing**

Det. Jones stated that the subject property is located on two combined lots at 301 and 307 SW 2 Street. The owner is 301 2nd Corporation and the business owner is Diane Magid, whose son Eric Magid is responsible for daily operation of the business.

On April 5, 2022, Det. Paul Maniates and Det. Jones met with Diane and Eric Magid at the property and discussed its appearance before this Board, as well as the Police recommendations for which they have stipulated willingness to work with the Police Department.

There have been 36 calls for Police service over the last six months, four of which were nuisance-related:

- April 18, 2021: a confidential informant purchased \$10 worth of cannabis from inside the club
- November 18, 2021: another confidential informant purchased \$10 worth of cannabis
- December 26, 2021: an aggravated battery occurred in which a victim was shot
- March 4, 2022: a confidential informant purchased \$10 worth of cannabis

Police recommendations for 301 SW 2 Street are as follows:

- Owner will maintain a trespass affidavit on file with the Police Department and post No Trespassing signs on the east, west, and south sides of the property within 7 days
- Owner will ensure that no persons loiter in the parking lot, on the sidewalk, or on all sides of the property
- Owner will clearly display, within 7 days and for the duration of jurisdiction, four signs measuring 16 in. by 20 in. stating that the property is under the jurisdiction of the Nuisance Abatement Board and is being monitored by the Fort Lauderdale Police Department; placement will be provided by the Detective

- Owner will install and maintain exterior lighting that will completely illuminate the parking lot and all sides of the property according to all City of Fort Lauderdale Code requirements within 7 days; the lot will be illuminated from dusk until dawn
- Owner will maintain the property free of debris and trash
- Owner will purchase, maintain in good working order, and use a metal detector, either fixed or wand-style, for use at all entry points for patrons entering the establishment; the device will help deter and prevent patrons from entering with weapons and/or firearms
- Owner will ensure that all employees are trained in using this device properly, as well as conducting pat-downs of patrons entering the property
- Owner will install an audible and visual alarm at all exit points of the property, which will prevent patrons that have not been properly screened by security from entering the location
- Entry and exit during normal business hours will be limited to one access point, where identification is checked and metal detectors and pat-downs are completed
- Owner will purchase, maintain in good working order, and use an ID scanner for use at all entry points for patrons entering the establishment; the device will help deter and prevent underage consumption of alcohol on the property; owner will ensure that all employees are trained in using this device properly
- Owner will conduct weekly property checks at this location to assess the condition of the property and notify the Fort Lauderdale Police Department with any concerns; owner will contact the investigative Detective during each one of these property checks
- Investigative costs total \$1650.81, of which the owner is assessed 50%, or \$825.41, plus investigative expenses of \$330, which totals \$1155.41; payment of this amount is due by May 12, 2022; the Board will hold the remaining balance of \$825.41 of investigative costs in abeyance
- If any of these items are not complied with within the time frame set forth, a fine in the amount of \$250 per day per item, not to exceed \$250 per day, will be imposed for each day of noncompliance
- Owner will appear before the Nuisance Abatement Board at the April 14, 2022 meeting for a Status Hearing and all scheduled Nuisance Abatement Board meetings for the duration of the jurisdiction, unless notified by the investigative Detective
- Nuisance Abatement Board will retain jurisdiction over the property for a period of one year from the date of this order

Det. Jones advised that the property owner has already completed some of the above recommendations and has taken initial steps to complete others.

Motion made by Vice Chair Slotnick, seconded by Chair Forman, to accept the property as a nuisance.

It was clarified that this **motion** is equivalent to accepting jurisdiction of the subject property.

In a roll call vote, the **motion** passed unanimously (3-0).

Motion made by Vice Chair Slotnick, seconded by Mr. Phaneuf, to accept the recommendations as stated by the Detective. In a roll call vote, the **motion** passed unanimously (3-0).

It was asked whether the business is open seven days per week. Eric Magid, business manager, stated that the business is open Wednesdays through Saturdays. He could not confirm the nights of the week on which the cannabis-related incidents occurred, although he recalled that the shooting occurred on a Saturday night when security was present.

Chair Forman commented that the Police recommendations appear to be minimal. Mr. Magid indicated his willingness to follow the Police recommendations.

In response to an earlier question, Det. Jones advised that the nuisance-related incidents occurred on Thursday, Friday, and Saturday nights. There was no recommendation of a change of schedule.

7. Board Discussion

None.

There being no further business to come before the Board at this time, the meeting was adjourned at 7:23 p.m.

Any written public comments made 48 hours prior to the meeting regarding items discussed during the proceedings have been attached hereto.

[Minutes prepared by K. McGuire, Prototype, Inc.]